



Memorandum

To: Honorable Mayor Maso and Members of the Frisco City Council

cc: George Purefoy, City Manager
Cissy Sylo, P.E., Director of Engineering Services
Elizabeth Metting, P.E., Asst. Director/City Engineer

From: John Manganilla, Right-of-Way Agent

Date: November 4, 2008

Subject: Consider and act upon a Resolution of the City Council of the City of Frisco, Texas, authorizing the City Manager of the City of Frisco, Texas to execute an Encroachment on Easement by and between the City of Frisco, Texas and North Texas Municipal Water District for an encroachment on easement located at the northwest corner of FM 2934 and Teel Parkway.

Action Requested: Consider and act upon a Resolution of the City Council of the City of Frisco, Texas, authorizing the City Manager of the City of Frisco, Texas to execute an Encroachment on Easement by and between the City of Frisco, Texas and North Texas Municipal Water District for an encroachment on easement located at the northwest corner of FM 2934 and Teel Parkway.

Background Information: The City of Frisco currently maintains a 20" water line on the south side of FM 2934. This line runs from the Eldorado Pump Station to Little Elm. North Texas Municipal Water District operates a line on the north side of FM 2934 at the Teel Parkway intersection. As a result of the impending TxDOT reconstruction of FM 2934, the City of Frisco relocated the 20" water line crossing that was in conflict with the drainage improvements at the Teel Parkway intersection. The City of Frisco's 20" water line is now encroaching within the North Texas Municipal Water District's water line easement.

Due to the intersection of the two drainage structures on the southwest corner of FM 2934 and Teel Parkway, and the numerous franchise utilities surrounding the traffic control structures on the northwest corner, the City of Frisco adjusted the waterline crossing of FM 2934 approximately 90 feet west from its current location. By moving the crossing 90 feet west of the intersection, the City of Frisco is able to safely avoid gas and phone facilities as well as avoiding boring near the North Texas Municipal Water District's 30" water line crossing of Teel Parkway.

Once across FM 2934 to the north, the City of Frisco extended the 20" water line 40 feet north, turned east for approximately 70 feet, and reconnected to where the 20" water line exists in the Teel Parkway Right-of-Way. This re-connection to the existing 20" at Teel Parkway was approximately 11 feet above the NTMWD 30" water line. In addition, a 12" stub was placed across the NTMWD 30" water line to the north to facilitate connection to the water system when the property develops in the future. Three feet of clearance was provided for this 12" water line crossing of the NTMWD 30" water line.

Because the relocated 20" City operated water line runs parallel and within the existing North Texas Municipal Water District's 30" water line, an Encroachment on Easement Agreement is necessary. City staff communicated with NTMWD staff to coordinate during construction. The encroachment agreement formally grants the City of Frisco the proper legal rights to encroach with their line in the existing NTMWD's easement.

Alternatives: The City Council could consider the following alternatives:

- Approve Resolution;
- Deny Resolution and send back to staff with direction.

Financial Considerations: No funds required.

Legal Review: The City Attorney's office has reviewed and approved this Agreement.

Supporting Documents: Supporting Documents include the following items:

- Resolution
- Encroachment on Easement – Exhibit "A"
- Location Map

Staff Recommendation: Staff recommends approving a Resolution of the City Council of the City of Frisco, Texas, authorizing the City Manager of the City of

Agenda Memorandum
North Texas Municipal Water District Encroachment on Easement
Northwest corner of Eldorado Parkway and Teel Parkway
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Frisco, Texas to execute an Encroachment on Easement by and between the City of Frisco, Texas and North Texas Municipal Water District for an encroachment on easement located at the northwest corner of FM 2934 and Teel Parkway. Staff will be available during the November 4, 2008 City Council meeting to address questions regarding this item.